

Remarks

New claims 25-29 are added. The new claims are supported by the original disclosure, for example page 5, lines 18-23. Claims 12-29 are pending.

When raising and leveling a slab, two things must occur: 1) the slab must be raised; and 2) material must fill the cavity that results from raising the slab. Applicant has discovered that raising can be accomplished using a pressurized fluid, and that filling of the cavity can be accomplished using a dried material, for example dried sand. Thus, different materials are used for the lifting and filling.

Flock and Asplin (US 5860763) do not teach using a pressurized fluid to raise the slab, and filling the resulting cavity with dried material different from the pressurized media. Flock discloses that the filling material also raises the slab. Flock does not use different materials for raising the slab and filling the cavity. Asplin (US 5860763) discloses using hydraulic jacks to lift the slab.

The Examiner's attention is drawn to US 6976804 which discloses using a pressurized fluid, for example lime sludge, to lift a slab, and using dried sand to fill the cavity. However, the present application has a filing date prior to the earliest filing date of US 6976804, so US 6976804 is not prior art against the present application.

Reconsideration in the form of a notice of allowance is requested. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, James A. Larson (Reg. No. 40,443), at (612) 455.3805.



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Respectfully submitted,

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